

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JONATHAN AVERY,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-06-0343-F
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

This action seeks habeas relief under 28 U.S.C. § 2241. Petitioner appears *pro se*, and his pleadings are liberally construed.

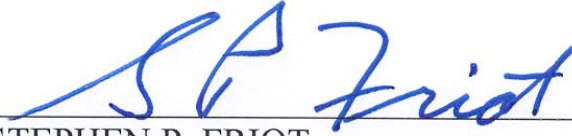
Magistrate Judge Robert E. Bacharach entered his Report and Recommendation in this matter on June 29, 2006. (Doc. no. 14.) In that Report, the magistrate judge recommended that respondent's motion to dismiss (doc. no. 11) be granted. (Respondent's motion sought dismissal or, in the alternative, transfer.) The Report advised petitioner of his right to file an objection to the Report by June 29, 2006. The Report further advised that failure to make timely objection to the Report waives the right to appeal the recommended dismissal.

Petitioner has not objected to the Report and has not sought a request for an extension of time within which to object.

After review of the Report, the record, and the relevant authorities, and with there being no objection, the court finds and concludes that it concurs with the magistrate judge's determinations and that no purpose would be served by repeating those determinations, or any analysis, here.

Accordingly, the Report and Recommendation of Magistrate Judge Robert E. Bacharach is **ACCEPTED**, **ADOPTED**, and **AFFIRMED** in its entirety. For the reasons stated in the Report, respondent's motion to dismiss is **GRANTED**, and this action is **DISMISSED**.

Dated this 26th day of July, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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